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FROM DIRECTOR'S OFFICE

AUG 24 2007

TECHNOLOGY CENTER 3600

In re application of	:	DECISION ON PETITION
Yasuhiro Iwamura et al.	:	FOR FOURTH SUSPENSION
Application No. 09/981,983	:	OF ACTION UNDER
Filed: October 19, 2001	:	37 CFR 1.103 (a)
For: NUCLEIDE TRANSMUTATION DEVICE AND		
NUCLEIDE TRANSMUTATION METHOD		

This letter is responsive to the petition for a second suspension of action under 37 CFR 1.103(a) received on June 6, 2007.

The petition for suspension of action under 37 CFR 1.103(a) is **GRANTED**.

A grantable petition for suspension of action under 37 CFR 1.103(a) requires:

- 1) A showing of good and sufficient cause for suspension of action, and
- 2) The fee set forth in 37 CFR 1.17(g), unless such cause is the fault of the Office.

Applicant filed a petition on August 5, 2005 to suspend action by the examiner until a cooperative experiment could be conducted by an Independent Administrative Institution, RIKEN, which experiment has apparently since been completed. A decision granting a 6 month suspension was mailed August 15, 2005. In a subsequent petition filed April 4, 2006, the applicant indicates that additional cooperative research between the U.S. Naval Research Laboratory (NRL) and Mitsubishi Heavy Industries, Ltd on the subject matter of applicant's invention has been ongoing since May 20, 2005 and scheduled to continue until May 2007. A third petition filed November 8, 2006 indicated that this schedule remained unchanged. This third petition was granted on December 6, 2006. The instant petition indicates that the above research is currently still in progress. The applicant believes that the result of the research will provide experimental results in support of operability of the present invention that applicant would like to submit upon it's publication.

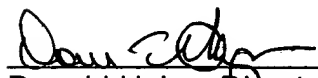
There being ongoing research which may materially impact a decision on the operability of applicant's invention, it is deemed that the existence of these endeavors constitute a good and sufficient reason why a second suspension should be granted, and thus applicants' request for an additional period of suspension of six (6) months is reasonable and will be **GRANTED**. However, at the conclusion of this latest period of suspension, applicant will have had 24 months of time to complete the experimental testing. Suspensions of action cannot go on indefinitely. As a result, applicant should not expect to receive another suspension at the conclusion of this latest 6 month suspension period. Any such future request will need to go into specific detail as to what experimental procedures have taken place, when they occurred, what procedures are yet to be completed, and why they could not have been completed by the end of this suspension period. Specific evidence would need to be provided as to why non-completion of the required testing by the end of 24 months was unavoidable.

Action by the Office on this application is suspended under 37 CFR 1.103(a) for a period of six (6) months from the date of this letter. At the end of this period applicant is required to notify the examiner and request commencement of prosecution or a further suspension. See MPEP 709. If applicant wishes to commence prosecution earlier than the expiration of the 6 month period, the examiner should be so notified.

The period for suspension will be six (6) months from the date of this letter.

Applicant's deposit account 15-0030 has been charged the balance of the required petition fee of \$200.00 under 37 CFR 1.17(g).

Any questions surrounding this decision should be directed to Quality Assurance Specialist Steven Meyers at (571) 272-6611.



Donald Hajec, Director
Technology Center 3600
(571) 272-5150

snm: 8/17/07

